



Docket Number F-3278 C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Skeem, et al

Serial Number: 08/892,836

Examiner: G. Nguyen

Filed: July 15, 1997

Group Art Unit: 3203

For: Metal Single Layer Abrasive Cutting Tool Having a Contoured Cutting Surface

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

AMENDMENT UNDER 37 CFR SECTION 1.111

This amendment is in response to a first Office Action, designated as a final office action, mailed on October 3, 1997, in the above-captioned patent application. Claims 1 -34 are pending in the application and Claims 2 and 27 are withdrawn from consideration as being directed to a non-elected species. Claims 1, 3-26 and 28-34 are rejected under 35 USC Section 103(a) over US Pat No 5,018,276 to Asada ("Asada") in view of US Pat. No 5,215,072 to Scott ("Scott") and US Pat No 3,678,568 to Knippenberg ("Knippenberg").

Applicants respectfully traverse these rejections and object to the designation of the first office action as a final office action in view of the citation of Knippenberg, a previously uncited patent.

REMARKS

Final Rejection Designation:

Although the Examiner has indicated Applicants' arguments are moot in view of the new ground of rejection, the Examiner has made the first office action in this application a final office action. Applicants submit that these conclusions are contradictory and respectfully request reconsideration of the final rejection designation. Furthermore, Applicants again are faced with the comment that "the

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